

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**TROY ANTHONY SMOCKS,**

**Plaintiff,**

**v.**

**THE UNITED STATES OF AMERICA,**

**Defendant.**

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**Civil Action No. 4:22-cv-1028-ALM-KPJ**

**ORDER**

Pending before the Court is Plaintiff Troy Anthony Smocks's ("Plaintiff") Motion for Judgment on the Pleadings (the "Motion") (Dkt. 37), wherein Plaintiff seeks judgment on the pleadings as set forth in the Complaint (Dkt. 1). *See* Dkt. 37. On July 30, 2024, the District Judge adopted the undersigned's Report and Recommendation (the "Report") (Dkt. 51) recommending dismissal of the Complaint (Dkt. 1) and giving Plaintiff leave to file an amended complaint. *See* Dkt. 58. Pursuant to the adoption of the Report (Dkt. 51), the Complaint (Dkt. 1) has been dismissed in its entirety. *Id.* at 2. Thus, Plaintiff's arguments for judgment in the Motion (Dkt. 37) are now moot.

Upon consideration, **IT IS HEREBY ORDERED** that the Motion (Dkt. 37) is **DENIED AS MOOT**.

**So ORDERED and SIGNED this 31st day of July, 2024.**



KIMBERLY C. PRIEST JOHNSON  
UNITED STATES MAGISTRATE JUDGE